

## North Carolina's Significant Disproportionality Determination Process

Revised March 2012

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**Definition of Significant Discrepancy in Discipline:**  $\geq$  twice the state average rate for types of disciplinary action and for incidence and duration.

**Discipline:** To determine whether or not an LEA has significant disproportionality with regard to discipline of students with disabilities, data are analyzed by race/ethnicity for: 1) type of disciplinary action, including in-school and out-of-school suspensions/expulsions of students with disabilities; and 2) incidence (number of disciplinary actions and duration (length of time). Data analyzed include  $> 10$  day suspensions/ expulsions and  $\leq 10$  day suspensions that accumulate to  $> 10$  days in a school year.

### Process:

**Step 1:** Determine an LEA's "N" size  $\geq 30$  for a given race/ethnicity for an LEA's overall disability population. For an LEA with an "N" size  $\geq 30$  go to step 2. For an LEA with an "N" size  $< 30$ , stop.

**Step 2:** Determine if an LEA has a significant discrepancy for a given race/ethnicity for type of disciplinary action and for incidence and duration.

For an LEA with an "N"  $\geq 30$  (see step 1 above) – a significant discrepancy is  $\geq$  twice the state average rate for types of disciplinary action and for incidence and duration (definition above). If an LEA has a significant discrepancy in any identified area, go to Step 3. If not, stop; an LEA does not have a significant discrepancy and, thus, does not have significant disproportionality nor does it receive a warning.

**Step 3:** Determine if an LEA has a significant discrepancy in disciplinary actions that results in significant disproportionality.

- a. If an LEA has a significant discrepancy in 3 of 3  $> 10$  day disciplinary actions (long-term suspension/expulsion; short-term suspensions that accumulate to  $> 10$  days in a school year; in-school suspensions  $> 10$  days), the LEA is determined to have significant disproportionality for the current year.
- b. If an LEA has a significant discrepancy in 2 of 3  $> 10$  day disciplinary actions (long-term suspension/expulsion; short-term suspensions that accumulate to  $> 10$  days in a school year; in-school suspensions  $> 10$  days) for 2 consecutive years, the LEA is determined to have significant disproportionality in the second consecutive year.
- c. If an LEA has a significant discrepancy in 1 of 3  $> 10$  day disciplinary actions (long-term suspension/expulsion; short-term suspensions that accumulate to  $> 10$  days in a school year; in-school suspensions  $> 10$  days) for 3 consecutive years, the LEA is determined to have significant disproportionality in the third consecutive year.
- d. If an LEA has a significant discrepancy in any of the disciplinary actions reviewed and has not been determined to have significant disproportionality as described in 3a, b, or c, the LEA receives a warning for the current year and is in danger of having significant disproportionality in future years.

Note: In accordance with North Carolina's approved waiver under ESEA Flexibility its subgroup "N" size, which is used in the determination process, changed from  $\geq 40$  to  $\geq 30$  in 2013-14.